GREAT BRITAIN APPLIES TO THE SUPREME COURT

A Case Brought up Which Involves the Points of the Behring Sea Dispute.

LORD SALISBURY'S BLUNDER

Indignation in Washington at the Sudden Transfer of the Case from Diplomatic to Legal Channels.

WHAT MR. BLAINE WILL DO.

A Note To Be Despatched to the British Foreign Office Giving His Opinion of the Change.

THE APPLICATION UNAVAILING.

Belief That the Supreme Cou t Will Declare Its Want of Jurisdiction Pending Negotiations.

[BY TELEGRAPH TO THE HERALD.] CONNER FIFTEENTH AND G STREETS, N. W., WASHINGTON, Jan. 12, 1891.

By One sudden, unexpected act on the part of

Lord Salisbury, monumental as a piece of diplomatic blundering, the popular aspects of the Behring Sea question have become completely re-

Only a few days ago the HERALD was recording the humiliating retreat of Mr. Blaine from a reckless and unconscionable, but happily unsuccessful, attempt to inflame the people of the United States against the British government as a means of hetping the decaying fortunes of the republican party Under the lead of the HERALD, which happened first to obtain tidings of what was afoot, the press of the country put Mr. Blaine beneath an extinguisher, and Lord Salisbury has hardly finished reading the cunningly framed diplomatic note, wherein Mr. Blaine had confessed he had done with nonsense and deviltry, and was prepared to settle the Behring Sea controversy in a fair and

In a few days Mr. Blaine will begin the prepara-tion of another diplomatic note of the kind technicallyknown as a despatch, and this despatch will have the peculiarity of being addressed to the American Minister at London instead of the British Minister at Washington. In that despatch Mr. Blaine will tell Minister Lincoln, for the information of Lord Salisbury, to whom Mr. Lincoln will read it and with whom he will leave a copy of it, what the President thinks of to-day's proceedings in the Sapreme Court, where Counsellor Choate told the justices that Her Royal and Imperial Majesty, Victoria, assented to and approved of her Canadian Attorney General's application to the Court to intervene by judicial process in the very question now at lesus between the political departments of the two poversments and while diplomatic negotiat one are in progress for a determination of that

In order that no loophole of escape should be left to Lord Salisbury from Mr. Blaine's forthcoming indiguant protest against what I am advised he will characterize as an unprecedented and affronting procedure on the part of Her Britannie Majesty's government, the Canadian Attorney General has been fatuous or perhaps careful enough to insert the following paragraph in his motion to the Supreme Court for a writ of prohibition to the Distriet Court of Alaska:-

"And the said Sir John Thompson, K. C. M. G., Court that the fact that this, his suggestion, is presented with the knowledge and approval of the imperial government of Great Britain, will be brought to the attention of the Court by counsel thereunto authorized by Her Britannic Majesty's representative in the United States."

Her Britannic Majesty's representative in the United States is Sir Julian Pauncefote, who takes his orders from Lord Salisbury and not from the British Colonial Office nor the Governor General of Canada. Hence it is certain that Lord Salisbury will have to assume responsibility for acts done to day in this capital in the name and behalf of the British government, which have excited the deepest feelings of resentment in the President, his Cabinet and members of the Senate and House Committees on Foreign Relations, without regard

The legal representatives of the Attorney General of Canada admit that his motion of to-day can sucseed only in the event that the Supreme Court finds itself satisfied beyond peradventure that the United States have no jurisdiction of any kind in Behring Sea beyond the conventional territorial limit. But inesmuch as the three mile limit is the minimum limit in all cases, and that larger and other limits are not unknown to international law. and inasmuch as the executive departments of the two governments are now in actual negotiation with a view to determining what jurisdiction the United States have in Behring Sea, the almost universal expectation is that the application of Sir John Thompson will be dismissed as soon as its dismissal can be pronounced with decorous delib

GENERAL INDIGNATION.

I am not at liberty to name the eminent men belonging, some to the legislative and executive branch of our government, and others eminent in private life, who have told me privately what they think about the propriety of the British government's participation in to-day's happenings.

If the tone of feeling here reflects the general sentiment of the country Mr. Blaine's despatch to Minister Lincoln cannot be too strongly expressed. The more plainly he tells Lord Salisbury that the whole body of the American people has been in sulted in the pettifogging affront offered to the President of the United States the better Congress will like it, in both houses and on both sides of each house.

will like it, in both houses and on both sides of each house.

The questions of sealing rights and seal protection have gone clean out of sight for the time being. If persons who control the acts and policy of this government may be trusted to do as they say, Lord Salisbury will have to pass through the valley of humiliation before he can ever bring the negotiations back to the main points of discussion. That he will ever get them back to the triumphant situation for himself or a week ago is deemed incredible by people of information and indement who have hitherto been severe critics of the administration's Behring Sea policy. Judging from the tone of influential comment here, Lord Salisbury cannot too seen or too skilfully extricate himself from the unfortunate situation into which he has permitted the Behring Sea question to be drawn by his canadlan advisers, if he does not wish to stront an angry nation, no longer caring about the merits of the issue, but keenly sensible of contemptuous treatment of their country by His Lordship, and of "paltry petificgging" over a dignified question of international relations, to quest the very words of ropublican and democratic members of the Committee on Foreign Relations.

One of the gravest aspects of the present situation is the gratuitous character of the public and official intervention of the British government in the judicial proceedings instituted to-day. Sir John Thompson's avowed object could have been as well forwarded by conducting these proceedings entirely in the name of the owner of the Canadian sealing schooner W. P. Sayward. To add the lame of the British government to those proceedings is, in the opinion of the President and his Cabinet and other promitent members of various branchels and other promitent members of proceedings is, in the opinion of the President and his Cabinet and other promitent members of various branchels and other promitent members of various branchels and other promitent members of various branchels.

ing Mr. Blaine's note of December 17. which was conspicuously designed to provide a modus for a speedy and amicable settlement.

Mr. Blaine has not sought to hide from the public his personal view or the joint proceedings of the British and Canadian governments to day. I am told that he acquits the British Minister of everything but a passive and enforced acquiescence in the affront to the gov rnment of the United States which he is soon to resent in a becoming fashion through our Minister at London. He will again protest against the intrusion of the Canadian government into our international controversies with Great Britain.

I am also advised that he is not unlikely to insist upon transferring the negotiations to Lord Salisbury and Minister here is not permitted to serve the government he is presumed to represent except in such a manner and to such extent as the Canadian government approves. Mr. Blaine has repeatedly said in private conversation that Sir Julian Pannecfote and himself would have long ago come to terms alike honorable and advantagous to both countries, except for the interested interference of Canada. He thinks, however, that he has got the head of the offender in chancery at last.

What has occurred to-day has thrown the Behring

last.
What has occurred to-day has thrown the Behring Sea question back into chaos. All sides now wait on Lord Salisbury and his disposition, if he has any, to make the amende honorable to the United States for what is now criticised as "His Lordship's very bad broat."

Attorney General Miller will be ready with his answer to the motion for a writ of prohibition within the time granted him by the Court—two weeks hence.

answer to the motion for a writ of prohibition within the time granted him by the Court—two weeks hence.

The first question the movers will be confronted with by the Attorney General is that on jurisdiction. That is to say, whether the Supreme Court has any jurisdiction in the premises at all. The Supreme Court has no jurisdiction except where that jurisdiction is conferred by statute. There being no statute giving this court jurisdiction on appeal the question is how can they get jurisdiction at all. Of course, if the papers which were filed in the District Court of Alaska—viz., theel and answer—fail to show any jurisdiction in that court, then this court might enjoin the proceedings, but if the Alaska court has even colorable jurisdiction then the question is whether its decree is not final and conclusive.

If the Supreme Court is in any doubt as to the extent and nature of the jurisdiction possessed by the United States in Buiring Sea. it will not prohibit the district court from acting upon its own view of that jurisdiction.

The position to be taken by the Attorney General is that it is not extain that the United States have no other than the conventional territorial jurisdiction in Behring Sea. that the two governments are now debating that question diplomatically, and that the Supreme Court, conformably to its own repeated decisions and opinions, must await and follow the political determination of the limits of our jurisdiction in Behring Sea.

In the preparation of his brief in support of this position the Attorney General will avail himself of the assistance of members of the Senate Committee on the Judiciary, of which Judge Edmunds, of vermoni, is the chairman.

I am able to say that Senator Edmunds agrees in the view that, upon the facts of the case, the Supreme Court will be constrained to leave it to the political department of the government to settle and fix the status of this country in Behring Sea.

BEFORE THE COURT.

MR. CHOATE'S MOTION BRINGING UP THE POINTS IN DISPUTE

PROM OUR REGULAR CORRESPONDENT. HERALD BUREAU, CORNER FIFTEENTH AND G STREETS, N. W., WASHINGTON, JAU. 12, 1891.

The first move made in the case was in the form of a motion by Mr. Joseph H. Choate to dismiss the appeal in case No. 1,037, made in behalf of the appellants. This looked like an abandonment of the case, and doubtless gave Attorney General

But the surprise which followed immediately was not so agreeable.

Mr. Choate followed his first motion with a request for permission to file suggestions with the Court for a writ of prohibition and annulling the action of the District Court of Alaska. Besides the formal petition of the owner of the vessel alleged to have been unlawfully seized he would file a petition signed by Sir John Thompson, Attorney General for the Dominion of Canada, which action was with the knowledge and sanction of Her Britannic Majesty Victoria, Queen, Empress, &c. In view of the importance of the case he would ask on behalf of Great Britain that an early day be set for action and that a day be set for a hearing if it pleased the Court to hear oral argument.

The suggestions for a prohibition set forth that at a time when profound peace and friendship prevailed between Great Britain and the United States-namely, on the 9th of July, 1887, the vessel W. P. Sayward, of Victoria, B. C., carrying the British flag and commanded by one of Her Majesty's subjects, was seized upon by a vessel of the United States upon the high seas, fifty-nine miles from land, and was by force taken into an American port and there libelled for acts upon the high seas, not piracy, upon the allegation that they were committed in violation of a statute of the United

It is further pleaded that the jurisdiction of the United States does not extend over the waters wherein the offence against the statute was alleged Her Britannic Majesty's Attorney General of to have been committed, the vessel being more Canada, most respectfully informs this honorable than a marine league from any shore, and, in brief, that the seizure was in violation of well established international law, and that, therefore, the District Court of Alaska had not and has not jurisdiction of the case. The Dominion Government, therefore, prays the Court to issue the writ of prohibition

prays the Court to issue the writ of prohibition sought.

JURISDICTION.

The question of the jurisdiction of the United States over Behring Sea is discussed at length in the observed with the suggestions, and the facts in the case are again recited.

The questions submitted in the brief are:

"Can a British vessel, in time of peace, be forcibly arrested by the United States, on the high seas, afty-nine unless from any land and beyond the limits of any jurisdiction of the United States permitted by the law of nations or asserted by any statute of the United States, for an act, not piracy, there committed, alleged to be in violation of the municipal law of the United States?

"Can such a scizure and the subsequent forcible taking of a British vessel within the limits of a District Court of the United States give jurisdiction in such case to the District Court of the United States in and for such district?

"That such a scizure and the condemnation by such a district court thereunder are wholly unwarranted by the law uferations in confidential.

United States in and for such district?

"That such a seizure and the condemnation by such a district court thereunder are wholly unwarranted by the law of nations is confidently submitted, while, with equal confidence, it is submitted that no law or treaty of the United States warrantes such seizure and condemnation, and that the District Court of the United States for the Territory of Alaska never had jurisdiction of the vessel or of the alleged offense; that its proceedings and decree are without jurisdiction and that it should be prohibited by this Court from enforcing said decree or doing any act under color of the usurped jurisdiction."

First, as to the jurisdiction of the Supreme Court to issue the prohibition prayed for, section 688 of the Revised Statutes is quoted, which gives the Supreme Court the jurisdiction in cases of Admiralty, the reason for it being that vessels of reiendly nations may not be compelled to suffer loss and detention by awaiting the slow processes of a District Court which may assume jurisdiction unlawfully, &c. The case of the French letter of marque corvette Cassius, which was seized and ibband at Philadelphia, is cited from the Third Dallas, in which case the Supreme Court issued a writ of prohibition causing the release of the vessel.

The highest authorities on international law are

writ of prohibition causing the release of the vessel.

The highest authorities on international law are quoted to sustain the position that no nation can exercise jurisdiction beyond the limit of one marities league from its shores, except in cases of piracy. Correspondence from the archives of the United States Department of State is quoted to show that the United States always recognized and insisted upon the enforcement of this principle of international law as against all nations that have at any time attempted to set up a claim to such jurisdiction. It is argued that no nation could exercise jurisdiction over Behring Sea except by the consent of all other nations. It is not conceded "that Russia ever hal such jurisdiction, but if she had by the consent of other nations, it is disputed that any cession of that right of jurisdiction was ever made to the United States by Russia."

Hazala property.

that right of jurisdiction was ever made to the United States by Russia."

Herein suswer is made to the contention of Mr. Blaine that Great Britain acquiesced in the claim of Russia before the sale of Alaska and the Aleutian Islands. In substance it is urged that if Russia ever had jurisdiction over these waters beyong the marine league—not conceding at all that she had—it was not by virtue of her possessions in the Aleutian Islands and Alaska, but by the general consent of other nations.

Then the treaty between Russia and the United States is quoted from to prove the only cession Russia made to the United States was of the Territory of Alaska and the Aleutian Islands and "the waters adjacent thereto," argument is made to prove that the waters adjacent thereto are and could be only those waters within the marine league from the shores. It is claimed that the language of the treaty clearly indicates this. On these points the brief says:—

"The proceedings here sought to be prohibited is an attempted exercise of jurisdiction, not under the general law maritime, but under a municipal statute. In order to sustain the jurisdiction in this case, therefore, it must necessarily appear that the act committed by the master and crew of the Sayward, for which the condemnation and forfeiture was sought, was an act in violation of the laws of the United States, done and committed in a place subject to their logislation and judicial jurisdiction." Jurisdiction.

The statute is quoted and it is claimed that the court must must determine what are the "limits of ...

Alaska Territory and the waters thereof," and what is "the dominion of the United States in the waters

Alaska Torritory and the waters thereof," and what is "the dominion of the United States in the waters of Behring Sea."

The treaty is then examined without any reference to international law to determine what it purports to grant and convey from Russia to the United States. On this point the brief says:—

"The subject matter of the cession is declared in the first article of the treaty to be "all the territory and dominion now possessed by his said Majesty on the continent of America and in the adjacent isiands," and no attempt is made to describe by meter and bounds the territory and dominion, which are the subjects of the cession, but they are described as 'being contained within the geographical limits herein set forth.' The plain meaning of the language, therefore, is that all the territory and dominion of the Emperor of Russia on the continent and in the adjacent islands will be found within those reographical limits.

"The second article refers to the cession of territory and dominion made by the preceding article," and proceeds to specify what are included in said cession; but there is no attempt to include anything which is not on the continent of America or in the adjacent islands, and no dominion in the waters of the sea is mentioned or referred to in this article. " " The meaning and purpose of the sixth article, which declares the cession of territory, herein that is, the preceding article, to be free of reservation, privileges, grants or possessions aby any associated companies, Russian or any other, or by any parties, is made perfectly plain by the addition of the words "wis said territory or dominion and appurtenances thereto."

"It remains only to consider whether the 'geographical limits' in the first article within which the territory and dominion on the continent of America or the adjacent islands and the apt language of the treat when the knesian and Bettish possessions and on explanation or qualification is superradied. But when the western geographical limit, is described as the 'line of

MR. BLAINE INTERVIEWED.

NOT TAKEN BY SUBPRISE BY THE ACTION OF LORD SALISBURY.

[FROM OUR REGULAR CORRESPONDENT.] HERALD BUREAU, CORNER FIFTKENTH AND G STREETS, N. W., WASHINGTON, Jan. 12, 1891.

In an interview I held with Secretary Blaine after the proceedings to-day in the Supreme Court, the Secretary said that he had known for some time that judicial proceedings were in contemplation, though not aware of the precise form or direction they would take. He said :-

"This is something that has been threatened for some time and of which I have been quite aware. It is therefore no surprise to me, as I had anticipated it. I have nothing whatever to say on the subject now. I shall probably have something to say officially later, and so I do not think it bost to talk for subjection at this time. You may say, however, that the department is not taken unawares."

wares."
"Do you care to say whether or not this case in the Supreme Court will have the effect of transferring the scene of the controversy from your department to the court?"

The Secretary smiled a deep, meaning smile, and picked up a newspaper that isy on his desk.
"I would prefer to remain quiet on that subject just now," he said. "There will be something official to say later on. I can say that this is no coup on the part of the British government in the least. Good morning!"

"A STRANGE PROCEEDING."

MR. CHIPMAN'S VIEW OF THE APPLICATION-LORD SALISBURY'S ACTION CRITICISED. [FROM OUR REGULAR CORRESPONDENT.]

HERALD BUREAU, CORNER FIFTEENTH AND G STREETS, N. W., WASHINGTON, Jan. 12, 1991. Representative Chipman, a member of the House

"It seems to me that this movement has a very strange aspect. It might present the anomaly of the Supreme Court reaching conclusions directly at variance with the position assumed the State Department and in which ase the latter would be powerless. You will see that the proceeding is an extraordinary one, because it is an attempt to obtain an authoritative decision from the judiciary of this country instead of reaching a result by the methods of diplomacy."

'What do you think, Judge," I asked, "of the action of the British government in taking such legal action while diplomatic negotiations are in prog-

'That is the thought that occurred to me when I said to you that it was an 'extraordinary pro-

"Don't you think the action of the British government was more than an 'extraordinary proceed. ing'-an insult from that government to our own?' Well, the owners of the Sayward at least have a right to any remedy, by writ of prohibition or otherwise, which our laws afford to any suitors in the same position."

Judge Chipman did not express any opin on upon the point whether the Supreme Court might not dismiss the application for a writ of prohibition without touching the merits of the seal contro-

versy.

I asked a gentleman intimate with members of the Supreme Court to state the question raised to-day as it is judicially understood among thom. He

ord salisbury has taken advantage of an in-

"Lord salisbury has taken advantage of an invalid and long slumbering appeal of the owner of a condemned british scaler to bring his government's side of the Boaring Sea controversy before the Supreme Court of the United States.

"That Court being without appellate jurisdiction over the District Court of Alaska, the attempt is made to conferjurisdiction of the question upon the Supreme Court by suggesting to it that the District Court has condemned a British vessel to forfeiture for acts committed on what the Supreme Court will at once admit to be a part of the high Seas.

Court will at once admit to be a part of the high seas.

"The condemnation is therefore suggested to have been an act of ursurpation on the part of the District Court and the Supreme Court is asked to issue its writ to the inferior court, commanding it to annul all its acts of ursurpation.

THE ATTORNEY OFFICE ANSWER.

"To thist is expected by the Court that the Attorney General will answer among other things that the condemnation or the British vessel was decreed under a statute which the government of the United States holds to extend to that part of Behring Sea wherein the scalar is admitted to have killed fur seals in apparent violation of the statute. While the British government has always denied the applicability of the statute to the so-called open ports of Behring Sea, it has proposed to refer that question to arbitration, and the government of the United States has accepted the proposal in principle.

United States has accepted the proposal in principle.

"The Attorney General will therefore contend that there is not such evidence of a usurpation of jurisdiction by the District Court as would justify the Supreme Court to intervene in its proceedings by the extraordinary and unusual process of prohibition. The general expectation of experts at Washington is that this contonuou of the Attorney General will prevail and that Lord Sainbury will be pur out of court.

"Through the medium of a trenchant despatch to the United States Minister at London Mr. Bisine is expected to notify Lord Sainbury that the government of the United States dens itself grossly affronted by the proceedings taken in the Supreme Court.

Court.

"Having proposed to arbitrate the question of the jurisdictional rights of the United States in Behring Sea and having been advised that the proposal is acceptable in principle, though not in form, Lond Saisbury will be reminded by Mr. Biaine that every consideration of propriety should have prevented His Loriship from resorting to another branch of the federal government to obtain a decision of the very question he had been professedly conducting to a settlement with that branch or the federal administration constitutionally charged with the conduct of foreign relations."

They Are Still Outside of General Miles' Picket Line, and All Danger Is Not Yet Over.

SURROUNDED BY TROOPS AND BIG GUNS

In Case Excited Bucks Should Precipitate a Fight the Boys in Blue Are Ready for Them.

THEY WANT TO SEE THE GREAT FATHER.

Friendly Indians Decide to Ask Permission to Send a Delegation to Washington

[BY TELEGRAPH TO THESHERALD.] PINE RINGE ACENCY, Jan. 12, 1891.-Slowly the hostile Sioux have been making their way to this agency, and General Miles has had ample time to prepare for their reception. Frank Grurard, chief of the government scouts, accompanied by four of his men, left this morning for the hostile camp, bearing an ultimatum from General Miles. It is about as follows:-Upon arrival here the Brules and Ogalallas, composing the camps must separate and camp in different spots, the two spots where they must camp being designated as one near Red Cloud's camp, northwest of the agency, and the other at Little Wound's former camp, northeast of the agency. The Rosebud Indians can in future remain at the agency or return to their own reservation, but further than this the General will promise them nothing. In everything else required of them they must obey his orders. About one thousand warriors belonging to the

hostile camp were within a short distance of the THE SITUATION NOW.

General Miles sums up the situation as follows:-General Brooks reports the camp slowly moving in his front toward the agency. One reason for their moving slowly is they are incumbered with quite a large number of wounded.

Men that were in the camp last night report that they are very wild; that the principal men are doing everything they can to quiet them and bring them in; others are talking about the affair at Wounded Knee and the fate of Big Foot's people, which has the effect of terrifying the women and children and making the men very suspicious and excitable.

The friendly Indians encamped about the agency held a council last night that was attended by every Indian in the camp. The principal object of the council was to talk over the present situation and lay plans for the future when the difficulties now existing shall have been settled. Many friendly Indians of prominence were present and freely expressed their views as to what should be done by their people when peace again came to their reser

It was decided by the council that the Indian Bureau be requested to permit a delegation of Indians from Pine Ridge and Rosebud agencies to

Indians from Pine Bidge and Rosebud agencies to visit Washington after the present affair has been settled and talk with the Great Father and his chiefs about their future.

Their pian is to select an equal number of Indians from among those now with the hostiles and those among the friendlies here, but under no consideration to select any who have been running between both camps during the disturbance and endeavoring to be friends with both sides.

Other things of minor importance were discussed by the council, but their principal talk was in regard to the contemplated visit to Washington.

INDIANS WILL HELL.

Another council was held by them later, and it was decided that they should assist the authorities in maintaining order here when the hostile village arrives. The friendles say they will establish a thorough patrol of their camp in conjunction with the military, and if any of the hostiles fire a gun or attempt in any way to create disturbance they will arrest or kill them.

Scouts, spies and interpreters now believe a quiet surrender will be made. There is, however, a large number who take the opposite view. The

Scouts, spics and interpreters now believe a quiet surrender will be made. There is, however, a large number who take the opposite view. The half breed clerks in each of the three post trading stores have called for their wages and said they were afraid to stay anylonger; that their friends told them that there would be a big battle.

The indian police took a well earned rest last night, and do not show the least regret at being temporarily relieved of all guard duty. The stage road to Bushville passes through the friendly camps and a large flag has been placed in the road bearing the legend. "These indians are friendly."

Captain Ewers will start in a few days with Little Chief's band of 400 Cheyennes to take them to the Tongue River, Montana. Little Chief and his band have been ugly fighters in every war for the last twenty years. In 1876 they were sent from this region to Fort Reno, I. T., and in 1878 fought their way back through the settlements of Kansas and Nebraseka to the Sand Hills near Gordon, where they were captured. Since then they have been good friends to the whites and have made excellent police and secuts.

The band have about nine hundred relatives on the Tongue River and have bogged for several years to be transferred to the reservation. Captain Ewers and his party will go across the reservation to Rapid Creek, thence to Fort Meade, next Winnesella, and from there along the stage road to the agency.

TO MEET HOSTILE CHEFS.

Hapid Creek, thence to Fort Meade, next Winneseila, and from there along the stage road to the agency.

To MEET HOSTILE CHIEVS.

Father Jute came to the agency last night and brought the news of the arrival of the indians at the mission. He informed General Miles that the Indians were in a friendly mood and were inclined to come in peaceably. He said that the chiefs would be in in the morning to consult with thim if he would receive them and there was a possibility that terms might be made.

General Miles consented to receive them, and Short Bull, Kicking Bear and Little Wound will confer with him. Father Jute says the Indians do not want to be disarmed. This is the keynote of the conference. If General Miles says they will not be disarmed it is possible there may be a peaceable settlement. There is no confidence in their peaceable pretensions. All day yesterday they were shooting cattle along the whole line of match. They burned their shares, and these facts destroy all confidence in their expressions of not destring to go to war. The Indians themselves partially admit the chiefs cannot guarantee to control the warriors. They say they have among them about three hundred young bucks who want to fight, and a single snot will start them. Besides this, the Indians who murdered Lieutenant Casey are known, and they know when they are taken they will be hanged for murder. They are among the beligerent young bucks and they may precipitate a fight to prevent dying by the rope. There are all these possibilities, which make it impossible to predict the result.

fight to prevent dying by the Fope. There are an these possibilities, which make it impossible to predict the result.

HOSTILES GOING INTO CAMP.

The hostlies have been going into camp about one mile northwest of the agency during the afternoon. Their approach caused considerable excitement here. Extra guards were stationed about the agency, heavy guns were placed in readiness for instant use in case of an emergency, and every precaution was taken to prevent any firing on the agency. The more turbulent bucks in the hostlie village, mostly young men belonging at Roschud Agency, acted in a trenzied manner on their way in, shooting cattle, ponies and dogs indiscriminately, and evidently believing that their last hour was near at hand.

ately, and evidently believing that their last nour was near at hand.

They will camp where they now are and every possible means will be used to quiet the young warriors and impress upon their minds what they can expect provided they do as the government re-

can expect provided they do as the government requests.

All the troops are now close to the agency, completely homming them in on all sides. The indians will not be interferred with until to-morrow at least. By that time it is hoped that they will be quieted down and willing to listen to reason.

It may be possible to quiet the indians sufficiently to disarm them without bringing on a conflict between them and the troops.

The fear is expressed that some half crazed warrior may fire a gun, when the brobability is that a conflict would occur. Extraordinary precautions have been taken to prevent this, however, and the matter may yet be settled without further bloodshed.

shed.

It is thought General Miles will demand of the heatiles the surrender of the leading had men and ship them south.

Private Harry E. Stone, Troop B, who was shot and stabbed on Wounded Enee, died this afternoon. Hunts Alone, an indian wixty years of age, also wounded at Wounded Knee, died to-day, (icueral Miles has written a letter to General W. F. Cody, "Buffalo Bill," and General Colby, both of

the Nebraska National Guard, stating that nothing but an accident can prevent the re-establishment of peace. General Miles says also that he feels that the State troops may now be withdrawn with safety.

FORT LOWELL TO BE ABANDONED. [BY TELEGRAPH TO THE H CHALD.]

Tucson, Ariz., Jan. 19, 1391 .- The abandonment of Fort Lowell, seven miles east of Tuscon, has been He Wants to Give the Supervision ordered by the Secretary of War. The citizens of Southern Arizons are makinga strong remon strance, as Fort Lowell is on the direct trail from

strance, as Fort Lowell is on the direct trail from
the San Carlos Reservation to Mexico, and its
abandonment would be an encouragement for the
Apaches to raid Mexico.
Military efficers at Fort Lowell, without exception, say this is the most important garrison in
Arizona for holding the indians in the reservation
or outting off their escape to Mexico and for
rapid distribution of troops by rail. Many old
citizens say that within thirty days after the
abandonment of Fort Lowell bands of Apaches
from the reservation will be stealing into Mexico.

SITTING BULL'S SCHEME.

[BY TELEGRAPH TO THE HERALD,] DENVER, Col., Jan. 12, 1891 .- A story is told here to-day of a plot of Sitting Bull for an uprising of all the Indians in the West and the massacre of all the settlers in Colorado, Wyoming, New Mexico and Idaho. Idaho.

The Indians were to all gather at Spirit Lake and dofy the government. The scheme died with the death of the old chief.

GENERAL FORSYTH'S REPORT. [FROM OUR REGULAR CORRESPONDENT.]

HERALD BUREAU, CORMER FIRTERITH AND G STREETS, N. W., WASHINGTON, Jan. 12, 1891.

The official report of the battle at Wounded Knee Creek was received at the War Department to-day. The report comprises General Forsyth's own account of the battle, those of his captains, including maps showing the scene of the battle and the

ing maps showing the scene of the battle and the location of the troops, and the indorsement of General Miles therron.

These papers will not be made public until they have been examined by the President, Secretary of War, the commanding general and other officials, who will probably be called upon to examine the maps and determine whether or not the troops were so stationed as to cause them to be shot down by each other, as represented to the department by General Miles ten days ago.

It will probably be several days before the department decides whether or not the circumstances justify a court of inquiry for General Forsyth.

LIEUTENANT CASEY BURIED. PROVIDENCE, R. I., Jan. 12, 1891 .- The body of Lieutenant Edmund Casey, who was shot by a Brule Indian while scouting in the Bad Lands, was brought to Wickford for burial to-day. The party in charge of the body consisted of the Lieutenant's brother, General Casey, and other relatives. Carriages conveyed the party to the Casey farm, four miles from Wickford, where the body was buried in the family lot.

ARGUMENTS FOR DANA'S ELECTION.

Never print a paid advertisement as news matter. Let every advertisement appear as an advertisement—no sailing under faise colors.—Churies A. Dana's Address to the Wisconsia Editorial Association, Mileautes, July 24, 1883. "What do I think of Charles A. Dana for Senator?" repeated W. H. Cole, one of the liveliest democratic liticians in Watertown. "Mr. Dana is a great editor, and should have been elected Senator three editor, and should have been elected Senator three years ago when Frank Hiscock was chosen to rattle around in that position and misrepresent New York State. He is a much abler man than Hiscock, and entertains about the same views that that gentleman does on the tariff, but on other questions he would come pretty near representing the wishes of the people. It would be a pleasure to have Mr. Dana in the Senate to give combat to Grandfather Huar and all the other old fegies who are continually assailing the people of the Empire State and their interests,"

ONE BOILED, THE OTHER ROASTED.

JOHN WHITEMAN PALLS INTO A POT OF LYE AND E. B. SEBORN IS BURNED TO DEATH, BY TELEGRAPH TO THE HERALD, Gosney, Ind., Jan. 12, 1891. John Whiteman fell into a vat of boiling lye last night at the Indiana Paper Company vats at Mishawaka. He managed to keep his head above the boiling lye and acreamed

for help. When rescued the flesh fell from his

bones and death was instantaneous. He was fortytwo years old and left a family. BURNED TO A CRISP IN HIS HOME.

[BY TELMORAPH TO THE HERALD.] JAMESVILLE, Ohio, Jan. 12, 1891.—The two roomed frame house of E. B. Seborn, an aged printer, caught fire this morning and burned to the ground. Seborn's body was found in the ruins roasted to a crisp and almost unrecognizable. He was a brother of Common Pleas Judge Seborn.

WORLD'S FAIR MEN WORRIED.

THEY FEAR THEY CANNOT GET ALL THE MONEY THEY WANT FROM CONGRESS.

IBY TELEGRAPH TO THE HERALD, 1 CHICAGO, Ill., Jan. 12, 1891.—The local directors of the World's Fair are considerably worried over mittee. They have been endeavoring to discount it by assertions that the report wouldn't amount to much, because it was prepared at a time when there was a big row in progress between the direc-tors and National Commissioners, which has been

there was a big row in progress between the directors and National Commissioners, which has been patched up.

But they fear legislation in Congress, based on the Caudier report, will be adverse to their plans and block the way toward getting the fair on its feet. They want money from Congress and are afraid they won't get it. The adverse report, they fear, will tend to keep foreign exhibitors away, as it would lead foreigners to believe the fair couldn't amount to much in the face of such a report.

That the directors are very much worked up is evidenced by the fact that all the available big guns have been trained upon Washington, and lobbying in favor of the rair will be pushed with the wimost activity. Director General Davis, Scoretary Butterworth and Promoter General Davis, Scoretary Butterworth and Promoter General Davis of Congress. They want from \$\$5.000,000 to \$5,000,000 all told from the national government and will not rost in their endeavors to secure it.

GAS TRUST MEN FALL OUT

CHICAGOANS GIVE WAY TO NEW YORKERS, WHO NOW CONTROL THE CONCERN. [BY TELEGRAPH TO THE HERALD.]

CHICAGO, Ill., Jan. 12, 1891.-There is trouble in the Gas Trust, but just exactly the nature of it no outsider seems to know. It was definitely decided by the trust to-day to pass the quarterly dividend. the estensible reason given being that it will be necessary to spend a large amount of money in fixing up the various plants for the World's Fair. necessary to spend a large amount of money in fixing up the various plants for the World's Fair. As the several gas companies in the trust pay big dividends, to the trust, which then declares the general dividend, it will be seen that holders of gas stock here will go hungry for this quarter at least. The New York men have gained a big victory in the trust, for at to-day's meeting of the stockholders of the Chicago Gas Light and Coke Company Messrs, Columbus R. Cummings and Sidney Rent were displaced. Three new directors were chosen, all New York men—Waiton Ferguson, W. H. Gebhard and C. E. Wooster. There was a good deal of dissatisfaction with Mossrs, Cummings and Kent and the stockholders thought bestto put them out. Cummings is by all odds the brainiest man connected with the great trust, and has been its guide and counsellor. Kent is a money maker, and it is charged that he sold das Trust stock heavily when the slump came not long ago.

It is said neither Cummings nor Kent hold any considerable amount of gas light and coke stock how. E. J. Jermanowski, president of the latter company, is a New York man, and it is said the Gotham stockholders will dictate the policy of the Gas Trust hereafter.

FEAR HE MET BENWELL'S FATE.

ENGLISH RELATIVES OF YOUNG WADSWORTH TRYING TO FIND WHY HE DISAPPEARED, [BY TELEGRAPH TO THE HERALD.]

MONTERAL, Jan. 12, 1891.-Sir Charles Tupper, Canadian Commissioner at London, Ont., has been communicated with by friends in England of communicated with positions in Fagana young Wadeworth, who, as told in the Herald, mysterious)y disappeared from Wallaceburg, Out. Sir Charles cabled Lord Stanley to-day for further information, saying relatives in England were getting distressed over the case in view of Benwell's

murder.

Wadsworth left England four months ago with
£3,000, with which he proposed purchasing a farm
in Canada. Wadsworth is described as a gentlemanly man of middle ago, his hair turning gray.

DRIVEN OUT BY MASKED MEN.

IBY TELUGRAPH TO THE HEBALD, ! NEVADA, Mo., Jan. 12, 1891 .- A band of about fifty masked and armed men went through the neighborhood ten miles southeast of Nevada last night and notified several objectionable people that they would have forty-eight hours in which to leave the county. Among those visited were John Beasley and his step son. They were told that the people of that community could not stand their thi ving practices. The men did not have to be told twice, but promised to leave.

NEW FORCE BILL

of Federal Elections to the Army and Navy.

A FREE COINAGE COMPROMISE.

The House at Length Decides to Investigate the Congressional Silver Pool.

THOSE BALLOT BOX FORGERIES.

[BY TELEGRAPH TO THE HERALD.] CORNER FIFTEENTH AND G STREETS, N. W., WASHINGTON, Jan. 12, 1891.

Senator Quay to-day introduced a bill entitled

"an act to prevent force and fraud in federal elec-tions and to insure the lawful and peaceful conduct thereof." The principal point of difference between the bill and the Hoar bill is in the last section of the bill, which is as follows:-

When it shall appear to the satisfaction of the Prosident of the United States that (in any locality) the provisions of this law cannot otherwise be executed it shall be his duty and he is hereby empowered to suspend there the writ of habeas corpus and to employ the armed forces of the United States, navai and military, for its enforcement, and for the protection of the officers whose duties are herein provided for.

COMPROMISE MEASURE OFFERED BY MR. STEWART IN PLACE OF HIS FREE COINAGE PLAN. The Finance bill was taken up in the Senate to day and speeches in favor of Mr. Stewart's amend-

ment were made by Mr. Allen and Mr. Berry. A proposition was introduced in the Senate today by Senator Stewart relative to the pending financial bill which would, if adopted, take the place of his free coinage amendment. Down to a certain point it is the same in substance as that amendment, but has attached a proviso as

Provided, further, that all silver bullion not the product of the mines, mills or smelters of the United States and all silver coin and silver bullion the product of silver coin other than silver coin of the United States shall, in the discretion of the

the product of silver coin other than sliver coin of the United States shall, in the discretion of the Secretary of the Treasury, be subject to a mint charge, to be fixed from time to time by him, but which charge shall not exceed the difference between the market value of said silver buillion in Loudon, England, at the time of its deposit and the coinage value thereof; and the Secretary of the Treasury may make such rules and regulations as may be necessary to determine whether the silver buillion so offered is or is not the product of the mines and smelters of the United States.

This proposition was not formally offered as an amendment to-day, but was submitted in order that it might be printed for information. It will be held in reserve until some agreement is reached respecting its final disposition. The proposition was drawn after consultation among several Senators upon the theory that it would rec-ive the support of some republicans in the Senate and House who are tavorably disposed toward the effort to enlarge the use of silver, but fear disasture as the result of unrestricted and free coinage.

Senator Stewart, however, is not himself committed to the proposition in any way; nor is any other member of the Senate, so far as can be learned, except to the extent of giving it a preference in certain contingencies. It was offered, Senator Stewart says, simply in order to get it in print for better examination.

I have the highest authority for the statement that President has never receded in the slightest degree from his original position in the matter. Nevertheless the silver men will send him a free coinage bill that may be sent to him. A contrary opinion has prevailed here for some days, but I am assured that the President has never receded in the slightest degree from his original position in the matter. Nevertheless the silver men will send him a free coinage bill the silver men will send him a free coinage bill if they can get one through the House and thoy are flattering themselves that they can. O

THE LOUSE AGREES TO HAVE A COMMITTEE IN-

VESTIGATE THE SILVER POOL The House has adopted a resolution providing for a special committee of five members to investigate the alleged connection of members of Congress in silver pools and to inquire into the owner ship of the 12,000,000 ounces of sliver bullion which the United States is asked to purchase.

Mr. Dockery, Irising to a question of privilege, offered a resolution reciting the fact of the refer ence of his "silver pool" resolution item to the Committee on Rules and the fact that that committee had refused to report the same, and directing the Committee on Rules to report the resolution to

the House for its consideration The Speaker said that he had ruled upon a question somewhat similar to this (on a resolution presonted by Mr. Oates, of Alabama, reciting various newspaper allegations), and had pointed out the inconvenience which would result to the business of the House if a resolution reciting allegations not fortified by a member's personal belief should be held to be one of privilege. The Chair desired that in this case the matter should be disposed of by the House, and he therefore submitted the question as to whether or not the pending resolution was one of privilege.

on was one of privilege. The House decided—yeas 148, nays 80—that the The House decided—yeas 148, nays 80—that the question was one of privilege.

Mr. Rogers, of Arkansas, offered an amendment to the Dockery resolution providing for the appointment of a special committee of five members to inquire into all the facts and diroumstances connected with the sliver pools in which Senature and Representatives are alleged to be interested, also as to the alleged purchase and sale of sliver prior to and since the passage of the act of July 14, 1890, including the names of the persons purchasing or selling the same, and who are the owners of the \$12,000,000 of sliver builton which the United States is now asked to purchase.

Mr. Rogers' amendment was agreed to and the resolution as amended was agreed to.

REPORT OF THE HOUSE COMMITTEE ON THE OHIO

BALTOT BOX FRAUDS. The House Ohio Ballot Box Committee, in its report made to-day, find that the ballot box contract was prepared by Wood; that the signatures were forged; that none of the persons named in the contract had any improper interests in the ballot box; that Wood uttered the forgery to procure Foraker's recommendation; that Foraker and Hal-Foraker's recommendation; that Foraker and Hal-stead alord in uttering it by exhibiting the paper and by publishing it, but that neither Foraker nor Halstead knew that it was a forgery. All the mem-bers of the committee except the chairman, in au additional finding, hold that careful scrutiny of the paper must have shown its false character, and that the high station of the persons involved should have suggested verification, as evidence was near at hand. Chairman Mason disagrees on this point.

Senator McMillau introduced a bill to pension the widow of General Custer at the rate of \$100 per

Representative Trace; presented a concurrent resolution of the New York Legislature asking for the appointment of a commission to examine as to the feasibility of deepening the Hudson Hiver.

Senator bavis introduced a proposed amendment to the Apportionment bill to increase the representation in the House to 360. The amendment gives Arkansas seven instead of six Congressmen; himesota, 8; Missourt, 10, and New York, 36.

Secretary Windom is authority for the statement that the growing Treasury surplus cannot now be used in the purchase of four per cant bonds for the reason that it will be needed to meet pension payments due next month aggregating \$25,000,600. Has suggests monthly instead of quarterly pension payments. resolution of the New York Legislature asking for

payments.

Horace C. Pugh, of Indiana, has been confirmed by the Senate as Consul at Palermo. New York postmasters confirmed :-W.T. Halsted, at Mount Kisco; J. L. Hayes, at Welden; A. J. Taft,

TANNER'S CHALLENGE TO SUCCL

THE ORIGINAL FASTER WANTS HIS RIVAL TO

TRY A BOUT WITH HIM. CLINTON, Mo., Jan 12, 1891.-Dr. H. S. Tanner, who was famous so long for having fasted forty lays, is living on a farm eighteen miles southwest of this city. He now challenges Signor Succi to alt down with him in Chicago during the World's Eair to a fast of ninety days, or, if Succi prefers, let the fast continue from day to day till one or the other yields the contest.